

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Pieroth et al.
Serial No: 10/560,420
Filed: 12/14/2005
Title: Flupirtin Injectable Galenic Form
Examiner: Layla Soroush
Art Unit: 1617

Commissioner for Patents
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

In response to the office action dated 9/30/2009, Applicant herewith elects **group I with claims 54-62 and 65-66, drawn to the lyophilisate**, for further prosecution without traverse.

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on October 21, 2009,

/Gudrun E. Hockett/

Ms. Gudrun E. Hockett, Ph.D.
Patent Agent, Registration No. 35,747
Schubertstr. 15a
42289 Wuppertal
GERMANY
Telephone: +49-202-257-0371
US-Fax: (877) 470-9712
gudrun.draudt@t-online.de

GEH